

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

PETE COFFEY, JR.,)	
)	
Petitioner,)	
)	
vs.)	Case No. CIV-05-1086-M
)	
CAPTAIN E. WILSON,)	
)	
Respondent.)	

ORDER

Before the Court is petitioner's Motion for Reconsideration of Request for Enlargement of Time/Abatement of Proceedings, filed March 13, 2006. Pursuant to Federal Rule of Civil Procedure 60(b)(6), petitioner moves this Court to reconsider its denial of his request for an enlargement of time within which to exhaust available state remedies.

Rule 60(b)(6) provides, in pertinent part:

On motion and upon such terms as are just, the court may relieve a party or a party's legal representative from a final judgment, order, or proceeding for the following reasons: . . . (6) any other reason justifying relief from the operation of the judgment.

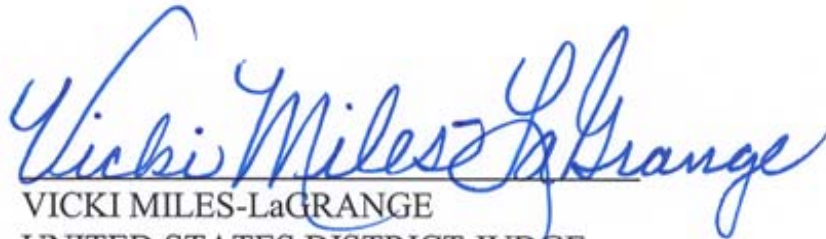
FED. R. CIV. P. 60(b)(6). "Relief under Rule 60(b) is extraordinary and may only be granted in exceptional circumstances." *Bud Brooks Trucking, Inc. v. Bill Hodges Trucking Co., Inc.*, 909 F.2d 1437, 1440 (10th Cir. 1990). Further, Rule 60(b) is not available for a party to merely reargue an issue that has already been addressed by the court or to advance new arguments or supporting facts which were available for presentation when the original motion was briefed. *See Van Skiver v. United States*, 952 F.2d 1241, 1243 (10th Cir. 1991).

Upon review of petitioner's motion, the Court finds no grounds warranting reconsideration in the case at bar and no reason justifying relief from the Court's prior denial. Further, the Court

finds that in his motion for reconsideration, petitioner merely advances arguments that could have been raised when his request was previously made.

Accordingly, the Court DENIES petitioner's Motion for Reconsideration of Request for Enlargement of Time/Abatement of Proceedings [docket no. 22].

IT IS SO ORDERED this 17th day of March, 2006.



VICKI MILES-LAGRANGE
UNITED STATES DISTRICT JUDGE